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January 19, 2005

The Honorable Nils J. Diaz
Chairman
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD, 20852

Dear Chairman Diaz:

I am writing regarding the health impacts associated with living near operating nuclear reactors. I am particularly concerned that these matters have not been fully explored in a manner that instills public confidence, and also that the Commission has not responded completely to specific requests for information.

My office has been contacted by Mrs. Cynthia Sauer, formerly a resident of Minooka, IL which is located close to the Dresden nuclear power plant. Mrs. Sauer and her family have recently relocated because of their concerns about the health impacts associated with living near the Dresden plant, which were heightened because of their daughter's brain cancer. As you can see in Attachment 1, Dr. and Mrs. Sauer have repeatedly attempted to obtain information from the Commission, but have been repeatedly frustrated in their efforts.

As the correspondence between the Sauers and the Commission indicates, in June 2003 the Commission was presented with data obtained from the Illinois Department of Public Health (IDPH) that indicate that in Grundy County, IL between 1995-99, the infant mortality rate has doubled, there has been a nearly 400% increase in pediatric cancer and a 38% increase in cancer among those aged 28-44 years old (while the same statistic for all of IL decreased by 8%). Moreover, other statistics show that the incidence of leukemia was 50% higher in men and 100% higher in women in Grundy County than it was in the rest of the State. In its responses to the Sauers, Commission personnel have ignored these statistics and have instead cited a 1990 National Cancer Institute (NCI) study entitled "Cancer in Populations Living Near Nuclear Facilities" which has numerous flaws in design, since, as the authors themselves stated, the limitations in the design were accepted so that "it could be completed in a timeframe that was relatively short for a survey of such magnitude."

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As the nation's nuclear reactors age, the likelihood of equipment failures that lead to low-level radioactive releases increases. As the Commission considers the re-licensing of many of these reactors, it is also important to ensure that any potential health impacts associated with living in proximity to these facilities are fully investigated and addressed. Consequently, I ask for your prompt responses to the following questions:

1) Please provide me with copies of all peer-reviewed health or epidemiological studies or reports on the effects of living in proximity to nuclear reactors about which you are aware.

2) Please provide me with copies of all government-funded health or epidemiological studies or reports (including reports that were not peer-reviewed and reports that were prepared for governments of other countries) on the effects of living in proximity to nuclear reactors about which you are aware.

3) The April 18, 2004 letter from Dr. Joseph Sauer to Mr. John Tappert of the Commission lists four specific limitations of the 1990 NCI study: i) The study used county-wide data which dilutes any health impact on the communities living closest to the reactor, ii) many of the reactors involved in the study had only been in service for a very few years, which may not have been long enough for cumulative effects to have manifested themselves and also would not likely have involved any leakage due to the aging of reactor components, iii) cancer mortality rather than incidence was used as the endpoint of the study, which could result in an under-estimation of impact, and iv) in many rural counties where reactors are located, cancer patients are often transferred to other care facilities, and if they die outside the county, their deaths would be recorded outside the county.
    a. Do you agree that each of these problems limits the utility of the study?
    b. If so, why does the Commission continue to cite it as evidence of the minimal public health risks associated with living in proximity to a nuclear reactor?
    c. If not, please fully explain why the limitation stated is either not valid or not relevant to making a determination that the public health risks associated with living near a nuclear reactor are minimal.

4) Why does the Commission believe the health statistics for Grundy County are elevated compared to the rest of IL?

5) If the Commission doesn't know why the statistics are elevated, then how can the Commission be certain that exposure to radiation from the Dresden power plant is *not* the cause?

6) What does the Commission plan to do to study this issue further, both for the communities living near the Dresden power plant and for those living near nuclear reactors nationwide? If the Commission has no plans to do further study, why not?

7) Please provide copies of all documents related to any unanticipated releases of tritium and/or radioactive contaminants from the Exelon Corporation's Dresden, Braidwood and Lasalle Stations since 1990?

8) Please provide a copy of NUREG-1437, Supplement 17, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants: Regarding Dresden Nuclear Power Station, Unit 2 and 3."

Thank you very much for your attention of this important matter. Please provide your response no later than February 4, 2005. If you have any questions or concerns, please have your staff contact Dr. Michal Freedhoff of my staff at 202-225-2836.

Sincerely,

Ed Markey

Edward J. Markey